

Notice of Allowability

Application No.

09/835,824

Examiner

Crystal J. Barnes

Applicant(s)

UMEZU ET AL.

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment received on 19 September 2005.
2. ☒ The allowed claim(s) is/are 1-35.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 14 September 2001
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. The following is a Notice of Allowability in response to the Amendment received on 19 September 2005. Claims 1, 11, 19, 20 and 30-34 have been amended. Claim 35 has been added. Claims 1-35 remain pending in this application.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas K. Scherer, Reg. No. 45,079 on 21 November 2005.

The application has been amended as follows:

IN THE CLAIMS:

Claim 1

lines 4, 5, and 7 from end, deleted "device" and inserted --unit--;

line 4 from end, deleted "receiving the" and inserted --receiving a--;

line 2 from end, deleted "to the" and inserted --to a--.

Claim 19

line 4 from end, deleted "receiving the" and inserted --receiving a--;

line 2 from end, deleted "to the" and inserted --to a--.

Claim 30

line 10 from end, deleted "measuring unit" and inserted --measuring
device--;

line 4 from end, deleted "receiving the" and inserted --receiving a--;

line 2 from end, deleted "to the" and inserted --to a--.

Claim 31

line 10 from end, deleted "measuring unit" and inserted --measuring
device--;

line 4 from end, deleted "receiving the" and inserted --receiving a--;

line 2 from end, deleted "to the" and inserted --to a--.

Claim 32

line 8 from end, deleted "measurement control unit" and inserted
--control step--;

line 6 from bottom, deleted "communication unit" and inserted
--communicating step--;

line 4 from end, deleted "receiving the" and inserted --receiving a--;

lines 3, 5 and 8 from end, deleted "unit" and inserted --step--;

line 2 from end, deleted "communication unit to the" and inserted
--communicating step to a--.

Claim 34

line 4 from end, deleted "receiving the" and inserted --receiving a--;

line 2 from end, deleted "to the" and inserted --to a--.

Claim 35

line 4 from end, deleted "receiving the" and inserted --receiving a--;

line 2 from end, deleted "to the" and inserted --to a--.

REASONS FOR ALLOWANCE

3. Claims 1-35 are allowed.

4. The following is an examiner's statement of reasons for allowance:

As per claim 1, the prior art of record taken alone or in combination fails to teach said measurement control unit includes a communication unit for transferring the control command generated by the command generating unit to the measuring unit through GPIB and for receiving the measurement result from the measuring

Art Unit: 2121

unit through the GPIB, and a measurement data transferring unit for transferring a measurement result received by the communication unit to a display host system though the Ethernet.

As per claim 19, the prior art of record taken alone or in combination fails to teach said measurement control unit includes a communication unit for transferring the control command generated by the command generating unit to the measuring device through GPIB and for receiving a measurement result from the measuring device through the GPIB, and a measurement data transferring unit for transferring the measurement result received by the communication unit to a display host system though the Ethernet.

As per claim 30, the prior art of record taken alone or in combination fails to teach said measurement control unit includes a communication unit for transferring the control command generated by the command generating unit to the measuring device through GPIB and for receiving a measurement result from the measuring device through the GPIB, and a measurement data transferring unit for transferring the measurement result received by the communication unit to a display host system though the Ethernet.

As per claim 31, the prior art of record taken alone or in combination fails to teach said measurement control unit includes a communication unit for transferring the control command generated by the command generating unit to the measuring device through GPIB and for receiving a measurement result from the measuring device through the GPIB, and a measurement data transferring unit for transferring the measurement result received by the communication unit to a display host system through the Ethernet.

As per claim 32, the prior art of record taken alone or in combination fails to teach said control step includes a communicating step for transferring the control command generated by the command generating step to the measuring device through GPIB and for receiving a measurement result from the measuring device through the GPIB, and a measurement data transferring step for transferring the measurement result received by the communicating step to a display host system through the Ethernet.

As per claim 34, the prior art of record taken alone or in combination fails to teach said measurement control unit includes a communication unit for transferring the control command generated by the command generating unit to the measuring device through GPIB and for receiving a measurement result from

the measuring device through the GPIB, and a measurement data transferring unit for transferring the measurement result received by the communication unit to a display host system through the Ethernet.

As per claim 35, the prior art of record taken alone or in combination fails to teach said measurement control unit includes a communication unit for transferring the control command generated by the command generating unit to the measuring device through GPIB and for receiving a measurement result from the measuring device through the GPIB, and a measurement data transferring unit for transferring the measurement result received by the communication unit to a display host system through the Ethernet.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Information Disclosure Statement

5. The examiner has considered the information disclosure statements (IDS) submitted on 14 September 2001.

Drawings

6. The replacement drawings were received on 19 September 2005. These drawings are acceptable.

Specification

7. The amendments to the specification were received on 19 September 2005. These corrections are acceptable.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art with respect to remote monitoring/control devices in general:

USPN 6,937,844 B2 to Malmstrom et al.

USPN 6,105,093 to Rosner et al.

USPN 4,878,179 to Larsen et al.

US Pub. No. 2005/0251564 A1 to Tillotson et al.

US Pub. No. 2005/0240373 A1 to Wubben et al.

US Pub. No. 2005/0138234 A1 to Ali Khan et al.

US Pub. No. 2002/0083128 A1 to Miyajima et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crystal J. Barnes whose telephone number is 571.272.3679. The examiner can normally be reached on Monday-Friday alternate Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 571.272.3687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CJB
22 November 2005



Anthony Knight
Supervisory Patent Examiner
Group 3600